

Exhibit “C”

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**SPABO ICE CREAM CORP. d/b/a
MISTER SOFTEE and
MISTER SOFTEE, INC.**

Plaintiffs,

v.

**E. PIEDAD RIVERA d/b/a MISTER SOFTEE
ET AL.**

Defendants.

**CIVIL ACTION NO.
1:07-cv-08628-PAC**

**CLERK'S CERTIFICATE
OF DEFAULT**

I, J. Michael McMahon, Clerk of Court for the United States District Court for the Southern District of New York, do hereby certify that this action commenced on October 5, 2007, with the filing of a summons and complaint. A copy of the summons and complaint was served on the following defendants in the following manner, and proofs of service of the summons and complaint were filed on the following dates:

Defendant	Method of Service	Date Proof of Service Filed
E.Piedad Rivera	Service upon Raphael Garcia, an individual who stated he was authorized to accept service on behalf of E. Piedad Rivera	October 25, 2007
Jorge H. Verdugo	Service by affixing summons and complaint to a conspicuous part of the door of 944 Phoenix Avenue, Peekskill, New York, 10566; previous attempts were made on 10/13/07, 10/15/07, 10/23/07 and 10/31/07; thereafter, on November 5, 2007, a copy of the summons and complaint was mailed to the defendant.	November 6, 2007
Parra Sun, Inc.	Service upon Carmine Conte, who stated he was authorized to accept service on behalf of the corporation.	October 29, 2007

Haydee Cordon	Service by affixing summons and complaint to a conspicuous part of the door of 1805 Crotona Avenue, Apt. 17D, Bronx, New York, 10474; previous attempts were made on 10/12/07, 10/13/07, 10/16/07, 10/22/07 and 10/31/07; thereafter, on November 5, 2007, a copy of the summons and complaint was mailed to the defendant.	November 6, 2007
Claudia Zapata	Service by affixing summons and complaint to a conspicuous part of the door of 1201 Oak Point Avenue, Bronx, New York, 10474; previous attempts were made on 11/14/07, 11/15/07, 11/20/07, 11/23/07 and 11/27/07; thereafter, on December 1, 2007, a copy of the summons and complaint was mailed to the defendant.	December 6, 2007
Ramon A. Pacheco	Service by affixing summons and complaint to a conspicuous part of the door of 16 East 177 th Street, Apt. 1E, Bronx, New York, 10453; previous attempts were made on 10/12/07, 10/15/07, 10/17/07, 10/24/07 and 10/31/07; thereafter, on November 5, 2007, a copy of the summons and complaint was mailed to the defendant.	November 6, 2007

I further certify that the docket entries indicate that none of the above defendants has filed an answer or otherwise moved with respect to the complaint herein. The defaults of the defendants E.Piedad Rivera, Jorge H. Verdugo, Parra Sun, Inc., Haydee Cordon, Claudia Zapata, and Ramon A. Pacheco are hereby noted.

Dated: New York, New York
March 25, 2008

J. MICHAEL McMAHON
Clerk of Court

By: 
Deputy Clerk